

## **REMARKS**

This paper is presented in response to the Office Action. By this paper, claims 14 and 16 are amended. Claims 1-9 and 11-35 are pending.

Reconsideration of the application is respectfully requested in view of the aforementioned amendments and the following remarks. For the convenience and reference of the Examiner, Applicants' remarks are presented in the order in which the corresponding issues were raised in the Office Action.

### **I. General Considerations**

#### **A. Claim Amendments and/or Cancellations**

With particular reference to the claim amendments, Applicants note that while claims 14 and 16 have been amended herein, such amendments have been made in the interest of expediting the allowance of this case. Notwithstanding, Applicants, may, on further consideration, determine that claims of broader scope than those now presented are supported. Accordingly, Applicants hereby reserve the right to file one or more continuing applications with claims broader in scope than the claims now presented.

Consistent with the points set forth above, Applicants submit that neither the claim amendments set forth herein, nor any other claim amendments, claim cancellations or statements advanced by the Applicants in this or any related case, constitute or should be construed as, an implicit or explicit surrender or disclaimer of claim scope with respect to the cited, or any other, references.

#### **B. Remarks**

Applicants respectfully note that the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the patentable distinctions between any cited references and the invention, example embodiments of which are set forth in the claims of this application. Rather, and in consideration of the fact that various factors make it impractical to enumerate all the patentable distinctions between the invention and the cited art, as well as the fact that the Applicants have broad discretion in terms of the identification and consideration of the base(s) upon which the claims distinguish over the cited references, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose

contemporaneous or future consideration by the Applicants, in this case or any other, of: additional or alternative distinctions between the invention and the cited references; and/or, the merits of additional or alternative arguments.

Applicants note that the remarks, or a lack of remarks, set forth herein are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicants: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicants reserve the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

## **II. Examiner Interview and Summary**

Applicants express their appreciation to the Examiner for the interview conducted 18 September 2008. Briefly summarized, the Examiner agreed during the interview that claim 14, as amended herein, would be allowable. Applicants note that claim 16, not discussed during the interview, is amended herein to correct a typographical error. In view of the amendment herein to claim 14, Applicants respectfully submit that as noted in the Office Action, claims 14-22 are now in allowable condition.

## **III. Allowed Subject Matter**

The Examiner's allowance of claims 1-9, 11-13, and 23-35 is appreciated. Applicants wish to thank the Examiner for the careful review and allowance of those claims.

As noted above, the Examiner has indicated that claims 14-22 would be allowable if claim 14 is amended as discussed in the Examiner interview. Inasmuch as claim 14 has been amended herein as discussed in the interview, Applicants submit that claims 14-22 are allowable.

**CONCLUSION**

In view of the remarks and amendments submitted herein, Applicants respectfully submit that each of the pending claims 1-9 and 11-35 is in condition for allowance. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 10th day of October 2008.

Respectfully submitted,

**/Peter F. Malen, Jr./Reg.# 45576**

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Peter F. Malen Jr.  
Registration No. 45,576  
Attorneys for Applicants  
**Customer No. 022913**  
Telephone: (801) 533-9800

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